

REMARKSAmendments

Claim 3 has been rewritten in independent form, including the subject matter of claim 1 and some of the subject matter of claim 2, both of which have been canceled. This has been done in the interest of rapid prosecution and without prejudice to Applicant's right to prosecute claims of similar or different scope in one or more continuation applications. New claims 6 to 8 have been added. Basis for new claim 6 is found in original claim 2; basis for new claims 7 and 8 is found in paragraph [0007] of the published specification, U.S. Publication No. US 2006/0215333 A1.

The Rejection Under 35 USC § 102(b)

Applicant respectfully traverses the rejection of claims 1-3 and 5 under 35 USC § 102(b) as anticipated by Simon (U.S. Patent No. 4,255,698), insofar as the rejection is applicable to the amended claims.

The present claims recite an electrical apparatus containing a battery box, a seat on the battery box to support a current conducting terminal, and a holding means which is provided on the seat of the current conducting terminal and secures the current conducting terminal. The current conducting terminal is in contact with either a positive or a negative electrode of one battery and in contact with an electrode of opposite polarity of another battery for conducting current between the two batteries. One electrode of the terminal is in contact with the either positive or negative electrode of the one battery and the another electrode contacts the electrode of opposite polarity of the other battery. A conductive polymer is placed between the one electrode and the another electrode. When an overcurrent or excessive temperature occurs, the conductive polymer increases in resistance, decreasing the current flow between the two batteries. In another embodiment, the current conducting terminal is in contact with a relay current conduction piece, and a resin body holds the relay current conduction piece and can be attached to or detached from the current conducting terminal.

Simon discloses an electrical device for use in a series connection with the cell or cells of a battery. The device comprises a PTC element and two electrodes positioned so that current flows through the PTC element. If the temperature and/or current become excessive during discharge or recharging, the PTC element changes from a low resistance, normal operating

condition to a high resistance state, thus reducing the charging current or the discharge current and protecting the battery. There is disclosure whatsoever in Simon of a seat for use in supporting a current conducting terminal, or of a holding means that secures the current conducting terminal as recited in claim 3. Nor is there anything in Simon that shows a current conducting terminal adapter containing a relay current conduction piece as recited in claim 5. Thus, the present claims are not anticipated by Simon.

Disclosure Under 37 CFR § 1.56

In fulfilling the duty of candor and good faith, the following document is hereby disclosed to the Patent Office in accordance with 37 CFR § 1.56. It is not admitted that the information in the listed document is material to patentability as defined in 37 CFR § 1.56(b). The Examiner is requested to consider the document in the examination of this application.

Accompanying this statement is Form PTO/SB/08A in duplicate on which the document is listed. The Examiner is requested to return an initialed and signed copy of the form once the documents has been considered.

The following document, not previously cited, was cited by the Japanese Patent Office during examination of Japanese Patent Application No. 2004-532756, which is a counterpart for this application. No translation is available to Applicant.

FOREIGN PATENT DOCUMENTS

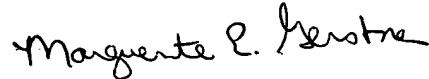
Document Number	Publication Date	Name of Patentee or Applicant	Translation
JP-64-35667-U	03-03-1989	(Unknown)	No

In accordance with 37 CFR § 1.97(c)(2), the Commissioner is authorized to charge the fee for submitting this Information Disclosure Statement (\$180) to Deposit Account No. 18-0560.

Conclusion

It is believed that this application is now in condition for allowance and such action at an early date is earnestly requested. If, however, there are any outstanding issues which can be usefully discussed by telephone, the Examiner is asked to call the undersigned.

Respectfully submitted,

A handwritten signature in cursive script, reading "Marguerite E. Gerstner".

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